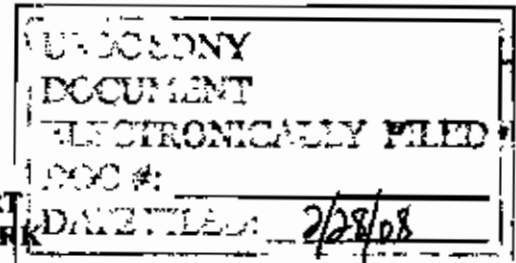


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American States Utility Services, Inc.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



American States Utility Services, Inc.,  
  
Plaintiff,  
  
-against-  
  
Petrus Environmental Services, Inc. and  
National O&M,  
  
Defendants.

Case No. 07-cv-08199-NRB

**NOTICE OF DISMISSAL**

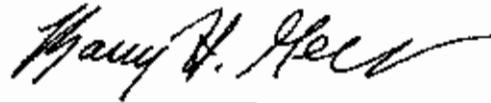
Hon. Naomi R. Buchwald

COMES NOW the Plaintiff, American States Utility Services, Inc., and pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, and prior to service by Defendants of an answer or motion for summary judgment, Plaintiff dismisses without prejudice the Complaint for Declaratory Relief in the above-captioned case.

Dated: February 28, 2008

Respectfully submitted:

O'Melveny & Myers LLP



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SO ORDERED:



NAOMI REICE BUCHWALD, U.S.D.J.

DATED: February 28, 2008